

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CHRISTOPHER B. JULIAN, ET AL.,)	
)	
Plaintiffs,)	Case No.: 4:13cv00054
)	
v.)	<u>SHOW CAUSE ORDER</u>
)	
JAMES RIGNEY, ET AL.,)	By: Hon. Jackson L. Kiser
)	Senior United States District Court
Defendants.)	

On June 6, 2014, Plaintiffs Christopher B. Julian and Renee G. Julian filed their Reply to Response to Motions for Sanctions [ECF No. 60]. In that filing, they made several scurrilous and wholly unsubstantiated allegations about this Court, including accusing the Court of intentionally waiting to set Defendants' Motions to Dismiss for hearing,¹ and asserting that there is evidence of "ex parte communications." Moreover, Plaintiffs accuse me of being a criminal, and accuse this Court of corruption:

A Corrupt Federal Agency aided and abetted by a Corrupt Federal Court is a travesty of justice for American Democracy an [sic] Insult to the U.S. Judicial system, to the constitution of the United States of America, and to Life, Liberty, and Justice for all. It results in tranny [sic], oppression, and absolute despotism of the people, justifying completely and succinctly the second amendment to the constitution of the United States. ***There is no greater criminal than the criminal that sits on the bench robbing America of its foundations.***

(Pl.'s Reply to Resp. to Mot. for Sanctions pg. 4, June 6, 2014 [ECF No. 60] [hereinafter "Pl.'s Reply].) Additionally, in their Reply, Plaintiffs directly reference and refer to their "articles at

¹ In the Pretrial Order filed in this case on January 15, 2014, the parties were instructed that it is *their* responsibility to set motions for a hearing. (See Pretrial Order ¶ 5, Jan. 15, 2014 [ECF No. 32] ("It shall be the obligation of the moving party to bring the motion on for hearing by notice.")) Absent extenuating circumstances, the Court does not set hearings for the parties *sua sponte*.

Blueridgesprings on wordpress.com.” (Id.) By reference, Plaintiffs have included their Internet invective against the Court in their filing.

Among the accusations found on their blog, and incorporated by reference in their Reply, are the following:

- On December 30, 2013, user “cbjulian”² posted that “[m]ultiple things have occurred in my case I perceive as prejudicial by the court. Giving me pause as to the judicial interest in protecting the government in this matter.”³
- On April 1, 2014, user “cbjulian” posted: “**America** this is a Federal District Court making false statements in defense of criminal activities by the RICO USDA. . . . *This is just one of Dozens of examples of corruption in the ruling of our case by the Federal District Court of Danville VA.* Are they making arguments for the defense, or looking at the facts provided in the evidence?”⁴
- On April 7, 2014, user “cbjulian” continued his tirade: “Read below for *the Federal District Court of Virginia is Aiding and Abetting this racketeering operation.* . . . The Court of Judge Jackson L. Kiser. . . . However, evidently this court supports the conclusion that Government Agencies and it’s [sic] employees are free to run and participate in racketeering operations committing crimes against the people. *And, the judiciary will protect their operations and their criminals from any restitution, allowing them to destroy the lives of those they are paid to serve.* The courts [sic] ruling and memorandum in support thereof supports this conclusion.”⁵
- On April 22, 2014, user “cbjulian” doubled down on his allegations of corruption: “*Corrupt Federal Court protecting a corrupt Federal Agency? Who pays the Judges [sic] salary?* . . . This Court has created it’s [sic] own defense in direct conflict with the evidence. . . . [The Court has] [d]enied the application of Federal Statutes for Obstruction

² Although user “cbjulian” does not expressly identify himself as Plaintiff Christopher B. Julian, Plaintiffs reference “their articles” on blueridgesprings.wordpress.com, where “cbjulian” is the exclusive author. Moreover, on the blog, the author lists his name as “Chris Julian,” lists Plaintiff Christopher Julian’s address as his own, and claims Plaintiff Christopher Julian’s personal e-mail as his own. Compare Compl. pg. 1 [ECF No. 3], with Dear ACLU of VA, <http://blueridgesprings.wordpress.com/2013/12/30/dear-aclu-of-va/> (Dec. 30, 2013). All of this leads to the inescapable conclusion the Plaintiff is the sole author of the diatribes found on that blog. (See Pl.’s Reply pg. 4.)

³ Dear ACLU of VA, <http://blueridgesprings.wordpress.com/2013/12/30/dear-aclu-of-va/> (Dec. 30, 2013).

⁴ Corrupt Federal District Court, <http://blueridgesprings.wordpress.com/2014/04/01/corrupt-federal-district-court/> (Apr. 1, 2014) (emphasis added in italics; bold in original).

⁵ Manifest Injustice, <http://blueridgesprings.wordpress.com/2014/04/07/manifest-injustice/> (Apr. 7, 2014) (emphasis added).

of Justice regarding Perjury by a USDA employee. . . . [The Court has] [i]gnored the Federal Rules of Civil Procedure by not allowing a single amendment to a complaint. . . . Should this Court and this Judge be added as Defendants for Aiding and Abetting the commission of USDA's RICO enterprise. By allowing Enterprise personnel to avoid accountability or responsibility for criminal acts? For Aiding the Enterprise in denying our rights to present evidence and have a fair unbiased hearing. For violating our civil rights to a fair grievance process? . . . On other items reflecting the courts [sic] lack of neutrality see our blog "**Legal Conundrum Federal Rules of Civil Procedure**" More to come on the lack of neutrality in this courts [sic] opinion. . . . *The Judge told us in the hearing we needed and [sic] attorney. What we really needed was an Honest Judge!*⁶

All of the postings—and many more—can be found at <http://blueridgesprings.wordpress.com>.

Additionally, on December 25, 2013, "cbjulian" authored a post titled, "Today a special Warm Christmas Cheer!" in which he wrote: "For our lost faith in humanity, Government, and the Judiciary. May each of you find your place in Hell much sooner than you thought!"⁷

It is beyond dispute that "Plaintiff[s] have the right to disagree with the rulings entered by the Court." Bethel v. Escambia Co. Sheriff's Office, et al., Case No. 3:05cv376/MD, 2006 WL 3498597, at *1 (N.D. Fl. Dec. 4, 2006). When Plaintiffs disagree with my rulings, or the rulings of any court, it is *not* Plaintiffs' right "to resist [the ruling] or to insult the judge;" their only recourse on that unhappy day is "respectfully to preserve [their] point for appeal." Sacher v. United States, 343 U.S. 1, 9 (1952). "Such dissidence does not confer upon plaintiff[s] license to insult and vilify this Court in [their] written filings." Bethel, 2006 WL 3498597, at *1. "Litigants are understandably disappointed when they do not prevail in court, but that does not give them license to attack the integrity of the judiciary. Such abusive conduct will not be tolerated, even from a *pro se* litigant." In re Mann, 229 F.3d 657, 659 (7th Cir. 2000); see also

⁶ A Question of Corruption?, <http://blueridgesprings.wordpress.com/2014/04/22/a-question-of-corruption/> (Apr. 22, 2014) (emphasis added in italics; bold in original).

⁷ See Today a special Warm Christmas Cheer!, <http://blueridgesprings.wordpress.com/2013/12/25/today-a-special-warm-christmas-cheer/> (Dec. 25, 2013).

Theriault v. Silber, 579 F.2d 302, 303 (5th Cir. 1978) (“Our *pro se* practice is a shield against the technical requirements of a past age; it is not a sword with which to insult a trial judge.”)

The law is clear that the Court has the statutory and inherent power to sanction errant *pro se* litigants before it for the type of hateful, bombastic jeremiads Plaintiffs have hurled at this Court in their filings. See 28 U.S.C. § 1927 (2014); Fed. R. Civ. P. 11(b); Chambers v. NASCO, Inc., 501 U.S. 32, 43 (1991) (describing the courts’ inherent authority to sanction); Shepherd v. Am. Broadcasting Companies, Inc., 62 F.3d 1469, 1472 (D.C. Cir. 1995) (same); see also Bethel v. Town of Loxley, Case No. 06-0573-WS-M, 2006 WL 3449140, at *1 n.1 (S.D. Ala. Nov. 29, 2006) (sanctioning a *pro se* litigant who described the Magistrate Judge as “corrupt” and the District judge “as a ‘witch’ who is ‘wicked,’ ‘corrupt,’ ‘tyrannical,’ and a ‘prostitute,’ who ‘can DIE AND GO TO HELL.’”) In the present case, it appears Plaintiffs have flagrantly violated the long-standing rules of decorum and respect for this tribunal. “Notwithstanding plaintiffs’ *pro se* status, their pleadings must exhibit proper decorum and respect, regardless of whether they concur with this Court’s decision. *Ad hominem* attacks in written filings in federal court are never acceptable, and will not be tolerated.” Loxley, 2006 WL 3449140, at *2. Moreover, Plaintiffs veiled threats, such as hoping that the Judiciary “find[s] [its] place in Hell much sooner than you thought,” are wholly inappropriate and will not be tolerated.

For these reasons, Plaintiffs are hereby **ORDERED** to **COME FORTH AND SHOW CAUSE** why they should not be **SANCTIONED** for their intemperate, odious filings in this Court. This matter will be set for hearing on **August 7, 2014, at 3:00 p.m.** Plaintiffs are advised that the Court will consider any and all appropriate sanctions, including rejection of Plaintiffs’ filings, monetary sanctions, and dismissal of Plaintiffs’ action.

The Clerk is directed to forward a copy of this Order to all counsel of record. The United States Marshal is ordered to serve this Order on Plaintiffs.

Entered this 13th day of June, 2014.

s/Jackson L. Kiser

SENIOR UNITED STATES DISTRICT JUDGE